

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
Civil Action No. 4:03-cv-00031-H

DAVID C. ANDERSON and SAMUEL)
PULLEN, on behalf of themselves)
and all others similarly situated,)
)
Plaintiffs,) **JOINT MOTION TO APPROVE**
) **SETTLEMENT**
v.)
)
SARA LEE CORPORATION,)
)
Defendant.)

Plaintiffs and Defendant jointly move this Court for entry of an Order (1) approving a settlement reached in this conditionally certified Fair Labor Standards Act (“FLSA”) collective action, and (2) dismissing this action, with prejudice.

To effectuate a binding release, FLSA settlements generally require judicial approval. *Taylor v. Progress Energy, Inc.*, 493 F.3d 454, 460 (4th Cir. 2007), superseded on other grounds by regulation, 73 Fed. Reg. 67987 (Nov. 17, 2008), as recognized in *Whiting v. Johns Hopkins Hosp.*, 416 Fed. App’x 312 (4th Cir. 2011). A copy of the parties’ Settlement Agreement and Release of Claims (“Settlement Agreement”) is attached as Exhibit 1. In support of this Motion, the parties contemporaneously filed their Memorandum in Support of Joint Motion To Approve Settlement.

WHEREFORE, the Plaintiffs and Defendant respectfully request the Court grant their joint motion, enter an order approving the Settlement Agreement, and dismiss this case with prejudice.

Respectfully submitted, this the 22nd day of April, 2013.

LAW OFFICES OF ALVIN L. PITTMAN

By: /s/ Alvin L. Pittman
Alvin L. Pittman (N.C. State Bar No. 8460)
5933 West Century Boulevard, Suite 230
Los Angeles, CA 90045
Telephone: 310.337.3077
Facsimile: 310.337.3080
E-Mail: office@apittman-law.com
Attorneys for Plaintiffs

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Kevin S. Joyner
C. Matthew Keen (N.C. State Bar No. 14204)
Kevin S. Joyner (N.C. State Bar No. 25605)
4208 Six Forks Road, Suite 1100
Raleigh, North Carolina 27609
Telephone: 919.787.9700
Facsimile: 919.783.9412
Email: matt.keen@ogletreedeakins.com
Email: kevin.joyner@ogletreedeakins.com

and

Patrick F. Hull
4520 Main Street
Suite 400
Kansas City, MO 64111
Telephone: 816.471.1301
Facsimile: 816.471.1303
Email: pat.hulla@ogletreedeakins.com

and

Alfred B. Robinson, Jr.
1909 K Street NW, Suite 1000
Washington, D.C. 200006
Telephone: 202.887.0855
Facsimile: 202.887.0866
Email: alfred.robinson@ogletreedeakins.com

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
Civil Action No. 4:03-cv-00031-H

DAVID C. ANDERSON and SAMUEL)
PULLEN, on behalf of themselves)
and all others similarly situated,)
Plaintiffs,)
vi.)
SARA LEE CORPORATION,)
Defendant.)

CERTIFICATE OF SERVICE

This is to certify that the undersigned has filed this Joint Motion to Approve Settlement with the Clerk of the Court using the CM/ECF system which will provide electronic notice to the following:

Alvin L. Pittman at office@apittman-law.com

This 22nd day of April, 2013.

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Kevin S. Joyner
Kevin S. Joyner

14698814.1 (OGLETREE)